

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:07cv89**

LARRY McCLOUD, Administrator)	
of the Estate of Garry Wayne)	
McCloud,)	
)	
Plaintiff,)	
)	
Vs.)	ORDER
)	
MELISSA HILDEBRAND; and the)	
CITY OF HICKORY,)	
)	
Defendants.)	
)	

THIS MATTER is before the court on defendants' Motion to Strike.

Defendants filed such motion on May 2, 2008, making plaintiff's response due to be filed not later than May 19, 2008. L.Cv.R. 7.1(E). Plaintiff having not responded to such motion within the time allowed¹ and defendants having shown good cause for the relief sought in their Memorandum of Law, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendants' Motion to Strike (#27) is

¹ While the district court's Order of designation does not delegate case dispositive motions to the undersigned, the court has reviewed plaintiff's Response to the Motion for Summary Judgment to determine whether it also contains a response to this non-dispositive motion. Such response does not appear to address the Motion to Strike either in substance or by identifying such through the ECF description as responsive to the Motion to Strike.

GRANTED, and plaintiff's designated experts Stephen Carpenter, Dr. William Sherer Miles, Dr. Peter Parker, and an "unidentified" expert on BLET curriculum are precluded from rendering expert testimony in this matter, either at trial or in support or opposition to any dispositive motion.

Signed: May 28, 2008

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

